



CNR: KAHC010614582025

NC: 2026:KHC:46148
WP No. 28141 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 28141 OF 2025 (KLR-RES)

BETWEEN:

1. SMT MUNIYAMMA
W/O ANIJINAPPA,
AGED ABOUT 77 YEARS,
R/AT NEAR ANJANEYA TEMPLE,
TARAHUNASE,
BENGALURU NORTH,
BENGALURU -562157.
2. SRI.P.V.MURALI,
S/O VENKATARAMAREDDY.G
AGED ABOUT 40 YEARS,
R/AT B67, MATHRU NILAYA,
4TH CROSS,
PRAKRUTHINAGARA,
KOGILU MAIN ROAD,
YELAHANKATALUK
BENGALURU - 560064.
3. SRI.SETTU CHINNATHAMBI,
S/O CHINNATHAMBI,
AGED ABOUT 55 YEARS,
R/AT NO.5/5, MGR COLONY,
THARAMANGALAM POST AND TALUK,
SALEM DISTRICT,
TAMIL NADU - 636502.

Digitally signed
by CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



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4. SRI.R. SATHISH KUMAR,
S/O K.RAJENDRAN,
AGED ABOUT 36 YEARS,
R/AT NO.1/142, POLICE STATION STREET,
PANAMDAGI, VELLORE,
TAMILNADU -632202

...PETITIONERS

(BY SMT.S SUSHILA, Sr. COUNSEL FOR SRI.RAMESHA T R., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPT BY ITS SECRETARY,
REVENUE DEPARTMENT,
M.S. BUILDING,
BANGALORE - 560 001.
2. THE DEPUTY COMMISSIONER,
BENGALURU URBAN DISTRICT,
BENGALURU 560001.
3. THE ASSISTANT COMMISSIONER,
BENGALURU NORTH SUBDIVISION,
BENGALURU- 560001.
4. THE TAHASILDAR,
YELAHANKA NORTH TALUK
YELAHANKA,
BENGALURU - 560064.

...RESPONDENTS

(BY SRI. SKANDA R K RAO, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER OF THE R2/ DEPUTY COMMISSIONER, BANGALORE DISTRICT, IN RP NO. 289/25, DTD 11.09.25 I.E ANNEX-A



THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

In this writ petition, the petitioners are assailing the order dated 11.09.2025 (Annexure-A) passed by respondent No.2, whereby the grant made in favour of the vendor of petitioner No.1 and thereafter sold in favour of petitioners No.2 to 4 which has been interfered with by the respondent-Authorities.

2. It is contended by Smt.Susheela, learned Senior counsel appearing for the petitioners that, the land in question was granted in favour of the petitioner No.1 on 14.04.1981 (Annexure-B) in land bearing Sy. No.259 measuring to an extent of 1 acre at Bettahalasuru Village, Bengaluru North Taluk, and thereafter, the petitioner No.1 has paid the upset price on 17.04.1981 (Annexure-D). It is also argued that, the respondent - Authorities have issued the grant certificate in favour of the petitioner No.1 on



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23.04.1981 (Annexure-C), and thereafter, the mutation was transferred into the name of the petitioner No.1 as per Annexure-E to the writ petition. The respondents have also shown the name of petitioner No.1 in the Dharkasth Register as per Annexure-F.

3. In the meanwhile, the name of the petitioner No.1 was not reflected in the RTC extracts during 2022, and accordingly, the petitioners have filed an appeal before the respondent No.3 herein and the said appeal was allowed on 14.12.2022. It is further contended by the learned Senior Counsel appearing for the petitioners that, the petitioner No.1 has sold an extent of 10 guntas in the schedule property in favour of one Sri Setu Chinnatambi and Sri P. V. Murali (petitioners No.2 and 3) as per the registered sale deed produced at Annexure-J, and thereafter, the petitioner No.1 has sold an extent of 30 guntas in favour of one Sri R Satish Kumar (petitioner No.4) as per the registered sale deed produced at



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Annexure-K dated 15.07.2021. It is argued that, the name of vendor of the petitioners No.2 to 4, i.e. petitioner No.1 was not reflected in the revenue records, and as such, an appeal was preferred before the respondent No.3 and the respondent No.3 vide order dated 25.09.2024 (Annexure-M) allowed the appeal and directed the respondent No.4 to enter the name of petitioner Nos.2 to 4 in the revenue records in respect of the subject land.

4. It is the argument advanced by the learned Senior Counsel appearing for the petitioners that, though the land in question has been granted in favour of the petitioner No.1 during 1981, after 45 years of grant the respondent No.2 has initiated the proceedings under Section 136(3) of the Karnataka Land Revenue Act, 1964 as per Annexure-A and has interfered with the grant made in favour of the petitioner No.1 without any basis and accordingly sought for interference of this Court. It is contended by the learned Senior Counsel that, as the third



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party rights have been created in favour of the petitioner Nos.2 to 4, the action on the part of respondent No.2 to interfere with the original grant made in favour of petitioner No.1 after four decades is unreasonable, and therefore, sought for interference of this Court.

5. *Per contra*, learned Additional Government Advocate appearing for the respondent-Authorities sought to justify the impugned order at Annexure-A. It is contended that, as the records have been created to secure the grant, and therefore, the suo motu proceedings have been initiated against the petitioner No.1 and accordingly sought for dismissal of the writ petition.

6. In the light of the submissions made by the learned counsel appearing for the parties, and on careful consideration of the writ papers would indicate that, the respondent - Authorities have granted an extent of 1 acre of land in Sy. No.259 at Bettahalasuru Village, Bangalore North Taluk, as per the grant order dated 14.04.1981



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(Annexure-B). The petitioner No.1 has paid the upset price to the Government Treasury as per Annexure-D to the writ petition. It is also forthcoming from the records that, the respondent - Authorities have issued the grant certificate in favour of the petitioner No.1 on 23.04.1981 (Annexure-C), and thereafter, MR No.40/1981-82 was made in favour of the petitioner No. 1. It is also forthcoming from the records that, in the Dharkasth Register, the name of petitioner No.1 is shown, evidencing the grant of land in favour of petitioner No.1. The petitioners have also produced the RTC extracts, wherein the name of petitioner No.1 is shown from the year 1981 till 2021. However, after the introduction of the computerized RTC, the name of petitioner No.1 was not shown, and as such, an appeal was preferred before the respondent No.3 and thereby, the respondent No.3 vide order dated 14.12.2022 (Annexure-G), has allowed the appeal preferred by the petitioner No.1, and as such, the revenue entries were



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mutated in the name of petitioner No.1 vide MR.T No.119/2023 -24.

7. It is also forthcoming from the records that the petitioner No.1 has sold an extent of 10 guntas of land in favour of petitioner Nos.2 and 3 on 15.07.2024 (Annexure-J) and an extent of 30 guntas in favour of petitioner No.4 on the very same day as per Annexure-J. After execution of the registered sale deeds in favour of petitioner Nos.2 to 4 by the petitioner No.1, the name of petitioner Nos.2 to 4 was entered in the revenue records in terms of the order dated 25.09.2024 passed by the respondent No.3 as per Annexure-M to the writ petition. In the meanwhile, the respondent No.2 has initiated an enquiry in respect of the genuineness of grant made in favour of the petitioner No.1 resulting in passing of the impugned order at Annexure-A.

8. Taking into consideration the aforementioned aspect, as the grant made in favour of the petitioner No.1



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is way back in 1981, the name of the petitioner No.1 is shown in the Dharakast Register, and all other revenue records mentioned above, after an inordinate delay of 45 years, the respondent - Authorities have initiated the suo motu proceedings under Section 136(3) of the Karnataka Land Revenue Act, 1964. In this regard, I am of the opinion that, the belated action on the part of the respondent - Authorities cannot be accepted in view of the judgments of the Hon'ble Supreme Court in the case of **H Guruswamy & ors. vs A Krishnaiah since deceased by L.Rs** reported in **2025 SCC Online SC 54**, **Smt.Shyamo Devi and ors. vs State of UP through Secretary and ors.** reported in **AIR 2024 SC 2862** and **Joint Collector Ranga Reddy District and another vs D Narsing Rao and others** reported in **(2015) 3 SCC 695**. Following the judgments of the Hon'ble Supreme Court in the aforementioned cases, wherein the suo motu action has been taken in respect of the subject land belatedly, against the vendor of the petitioner Nos. 2 to 4,



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that is, the petitioner No. 1, after four decades, and therefore, I am of the view that, the submission made by the learned Senior Counsel appearing for the petitioners is to be accepted.

Accordingly, I pass the following:

ORDER

- i) Writ petition is allowed.
- ii) The order dated 11.09.2025 (Annexure-A) passed by respondent No.2 is accordingly set aside.
- iii) The revenue records has to be modified in favour of the petitioners No.2 to 4 in the event of any changes pursuant to the order passed at Annexure-A forthwith by the respondent-Authorities.

**SD/-
(E.S.INDIRESH)
JUDGE**

BKM
List No.: 1 Sl No.: 7